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February 21, 1973

LEGISLATIVE REFERRAL MEMORANDUM

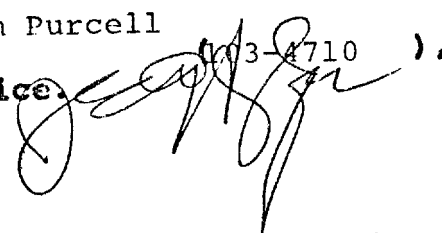
To: **Legislative Liaison Officer**
 U.S. Information Agency
 ← Central Intelligence Agency
 Department of Justice
 Office of Telecommunications Policy
 General Accounting Office
 Department of the Treasury
 National Security Council
Subject: Department of Defense

Department of State's draft bill, "To provide for the establishment of the Board for International Broadcasting; to assist and strengthen ... Radio Free Europe and Radio Liberty..."

The Office of Management and Budget would appreciate receiving the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with Budget Circular A-19.

- () To permit expeditious handling, it is requested that your reply be made within 30 days.
- (X) Special circumstances require priority treatment and accordingly your views are requested by ^{c.o.b.}
March 7. Telephone comments acceptable.

Questions should be referred to Jim Purcell (103-4580) or to Janis Humphrey (103-4710), the legislative analyst in this office.


James F.C. Hyde, Jr., for
Assistant Director for
Legislative Reference

Enclosures

DRAFT BILL

To provide for the establishment of the Board for International Broadcasting; to assist and strengthen the activities of Radio Free Europe and Radio Liberty; and for certain other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled,
that this act may be cited as the "Board for International Broadcasting Act of 1973."

CONGRESSIONAL DECLARATION
OF POLICY

Section 1. The Congress hereby finds and declares:

(a) That it is the policy of the United States to promote the right of freedom of opinion and expression, including the freedom "to seek, receive and impart information and ideas through any media and regardless of frontiers", in accordance with Article 19 of the Universal Declaration of Human Rights; and

(b) That the existence of open communication of information and ideas among the peoples of the world contributes to international peace and stability, and that the promotion of such communication is in the interests of the United States; and

(c) That in much of Eastern Europe and in the U.S.S.R., such open communication of information and ideas is discouraged or prevented by the systematic control of information and by the practice of censorship; and

(d) That Free Europe, Inc., and the Radio Liberty Committee (hereinafter referred to as Radio Free Europe and Radio Liberty), both private corporations, have demonstrated their effectiveness in furthering the open communication of information and ideas in these areas; and

(e) That the continuation and strengthening of Radio Free Europe and Radio Liberty in these areas is in the national interest so long as Radio Free Europe and Radio Liberty conduct their operations in a manner not inconsistent with the broad foreign policy objectives of the United States; and maintain high professional standards; and

(f) That in the interest of implementing these objectives, it is desirable to establish the Board for International Broadcasting, which, by assisting Radio Free Europe and Radio Liberty will facilitate a constructive dialogue with peoples of the U.S.S.R. and of Eastern Europe where the open communication of information and ideas is discouraged or prevented.

ESTABLISHMENT AND ORGANIZATION

Section 2.

(a) There is established in the executive branch of the Government an independent agency to be known as the Board for International Broadcasting (hereinafter referred to as the "Board").

(b) Composition of Board -- (1) the Board shall consist of seven members, two of whom shall be ex officio members. Five voting members including a chairman shall be appointed by the President of the United States with the advice and consent of the Senate. Not more than three of the members of the Board appointed by the President shall be of the same political party. The chief operating executive of Radio Free Europe and the chief operating executive of Radio Liberty shall be ex officio members of the Board and shall participate in the activities of the Board, but shall not vote in the determinations of the Board.

(2) Selection -- Members of the Board appointed by the President shall be citizens of the United States who are not concurrently regular fulltime employees of the United States Government. Such members shall be selected by the President from among Americans distinguished in the field of foreign policy or mass communications.

(3) Term of Office of Presidentially-appointed Members -- In appointing the initial voting members of the Board, the President shall designate three of the members appointed by him, including the chairman, to serve for a term of three years, and two members to serve for a term of two years. Thereafter, the term of office of each member of the Board so appointed, including the chairman, shall be three years, renewable at the discretion of the President of the United States by and with the advice and consent of the Senate. Notwithstanding the foregoing provisions of this paragraph;

(A) The President of the United States shall appoint members to fill vacancies occurring prior to the expiration of a term, in which case the members so appointed shall serve for the remainder of such term;

(B) Any member whose term has expired may serve until his successor has been appointed and qualified.

(4) Term of Office of Ex Officio Members --
Ex Officio members of the Board shall serve on the Board during their terms of service as chief operating executives of Radio Free Europe or Radio Liberty.

(5) Compensation -- Members of the Board appointed by the President shall, while attending meetings of the Board or while engaged in duties relating to such meetings or in other activities of the Board pursuant to this section, including travel time, be entitled to receive compensation equal to the daily equivalent of the compensation prescribed for level IV of the Executive Schedule under Section 5315 of Title 5, United States Code. While away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, equal to that authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently. Ex officio members of the Board shall not be entitled to any compensation under this provision, but may be allowed travel expenses as provided herein.

(6) Employees -- The Board shall have an Executive Director and such subordinate officers and employees as may be named and appointed by the Board. The Executive Director shall receive compensation at a rate not exceeding that prescribed for level V of the Executive Schedule under Section 5316 of Title 5, United States Code.

FUNCTIONS

Section 3. The Board is authorized and directed:

(a) to receive appropriations and to disburse funds in the form of grants to Radio Free Europe, and to Radio Liberty, for the purpose of promoting a free and adequate flow of information and ideas among the people of Eastern Europe and the U.S.S.R., and thereby to contribute to the goal of better international understanding.

(b) To continuously review and evaluate the mission and operation of Radio Free Europe and Radio Liberty in order to assess the quality, effectiveness and professional integrity of their broadcasting, and to assess the consistency of their broadcasts with the broad foreign policy objectives of the United States and with the need to foster open communication of information and ideas.

(c) To encourage the most efficient utilization of available resources by Radio Free Europe and Radio Liberty and to undertake such studies as may be necessary to identify areas in which the operations of Radio Free Europe and Radio Liberty may be made more efficient and economical.

(d) To develop and apply such procedures, including audits of Radio Free Europe and Radio Liberty, as the Board, in consultations with the General Accounting Office,

may determine are necessary to assure that grants are applied in accordance with the purposes for which such grants are made.

(e) To develop and apply such procedures, including audits of Radio Free Europe and Radio Liberty, as the Board may determine are necessary to assure that grants are applied in a manner not inconsistent with the broad foreign policy objectives of the United States Government.

(f) To prescribe such regulations as the Board deems necessary to govern the manner in which its functions shall be carried out.

(g) To contract for and obtain, as the Board may deem appropriate, the services of experts and consultants to aid the Board in carrying out its functions under this Act;

(h) To render an annual report to the President for submission on or before the 15th day of September of each year for submission to the Congress, summarizing the activities of the Board and making such recommendations as it may deem appropriate. Such report shall include a list of all grants extended under the provisions of this Act, and shall specify the uses to which such grants were put.

ROLE OF THE SECRETARY OF STATE

Section 4. The Secretary of State shall provide the Board with such information regarding the foreign policy of the United States in relation to the operations of Radio Free Europe and Radio Liberty, as the Secretary may deem necessary or as the Board may request.

PUBLIC SUPPORT

Section 5. The Board is authorized to receive donations, bequests, devises, gifts and other forms of contributions of cash and other property, from persons, corporations, foundations, and all other groups and entities, both within the United States and abroad, and to use, sell, or otherwise dispose of such property for the carrying out of its functions. For the purposes of Section 170 of the Internal Revenue Code of 1954 as amended (26 U.S.C. §170, the Board shall be deemed to be a corporation described in Section 170(c)(2) thereof.

FINANCING

Section 6. There are authorized to be appropriated such sums as may be necessary to carry out the activities of the Board, which sums shall remain available until expended. Except for funds appropriated pursuant to this Act, no funds appropriated after the date of the first

appropriation pursuant to this Act may be made available to or for the use of the Board or to or for the use of Radio Free Europe or Radio Liberty.

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